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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 JOHN R. JORDAN, Jr.,

11 Plaintiff,

No. CIV S-03-1820 LKK KJM P

12 vs.

13 CAL A. TERHUNE, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff is a state prison inmate proceeding pro se with a civil rights action under
17 42 U.S.C. §1983. He has filed a motion for an extension of time to file his pretrial statement, a
18 motion for the lifting of the page limitations on his pleadings and a motion to compel discovery.

19 In an order filed February 1, 2008, the court denied a similar motion for an
20 extension of time on the ground that the date for filing the pretrial statements was vacated in an
21 order filed December 18, 2007. In addition, this is plaintiff's third motion for an order lifting the
22 page limitations on his pleadings: the first motion was granted on January 24, 2008 and the
23 second, denied as moot on February 1, 2008. Should plaintiff continue to file duplicative
24 motions, he will be subject to sanctions, including a limitation on the number of pleadings that he
25 may file in a given time period or dismissal of the action.

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1 In the scheduling order filed May 3, 2007, the court set a deadline of August 17,
2 2007 for the filing of any motions to compel discovery. In this current motion, plaintiff reminds
3 the court that he has a "handicap" in that he is not a lawyer, does not have a staff of paralegals,
4 does not have access to limitless supplies and must rely on the state for paper, pens, envelopes
5 and other legal supplies and is limited in the amount of time he may spend in the law library,
6 which is not up-to-date. Motion To Compel at 1-2. He does not explain why he did not file this
7 motion earlier.

8 This court must interpret plaintiff's pleadings and his compliance with the
9 technical rules of civil procedure liberally; nevertheless, his pro se status does not excuse him
10 from following court rules. Briones v. Riviera Hotel & Casino, 116 F.3d 379, 382 (9th Cir.
11 1997); Draper v. Coombs, 792 F.2d 915, 924 (9th Cir. 1986). As plaintiff has made no specific
12 showing as to why he could not file his motion on or before the deadline given, the motion will
13 be denied. Id.

14 Finally, defendants have submitted a request to file Exhibit A, Attachment 2, in
15 support of their motion for summary judgment, under seal. This request is supported by a
16 showing of good cause.

17 IT IS THEREFORE ORDERED that:

18 1. Plaintiff's request for the lifting of sanctions (docket no. 218) is denied as
19 moot;

20 2. Plaintiff's motion for an extension of time in which to file his pretrial
21 statement (docket no. 219) is denied as moot;

22 3. Plaintiff's motion to compel discovery (docket no. 220) is denied as untimely;

23 4. Plaintiff is directed to file his opposition to the motions for summary judgment
24 within thirty days of the date of this order;

25 5. Defendants' request to file Exhibit A, Attachment 2 under seal (docket
26 no. 187) is granted; and

1 6. The Clerk of the Court is directed to file one set of the documents
2 accompanying this order under seal and to return the two endorsed copies to defendants in the
3 included envelope.

4 DATED: 3/18/08


KIMBERLY J. MUELLER
U.S. MAGISTRATE JUDGE

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